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for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and Bernard L. Madoff*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,
Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC,

Plaintiff,

v.

HSBC BANK PLC, et al.,

Defendants.

Adv. Pro. No. 08-1789 (BRL)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 09-1364 (BRL)

**STIPULATION EXTENDING TIME TO RESPOND
AND ACCEPTING SERVICE OF THE SUMMONS AND AMENDED COMPLAINT**

WHEREAS, on December 5, 2010, the plaintiff, Irving H. Picard (the “Trustee”), trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC and the estate of Bernard L. Madoff, filed an amended complaint (the “Amended Complaint”) in this adversary proceeding;

WHEREAS, Defendant UniCredit Bank Austria AG (“Bank Austria”) has agreed to accept service of the summons and Amended Complaint and waive any challenges thereto, without waiving any other defenses; and

WHEREAS, the parties have agreed to an extension of time in favor of Bank Austria to move, answer, or otherwise respond to the Amended Complaint.

IT IS HEREBY STIPULATED AND AGREED, by the undersigned counsel, that:

1. Bank Austria acknowledges service of the summons and Amended Complaint and waives any challenges thereto.

2. The time by which Bank Austria may move, answer, or otherwise respond to the Amended Complaint is extended up to and including November 30, 2011.

3. The Trustee reserves all rights and defenses, and entry into this Stipulation shall not impair or otherwise affect such rights and defenses.

4. Except with regard to service of the summons and Amended Complaint (as set forth in paragraph 1, above), Bank Austria reserves all rights and defenses, including, but not limited to, any challenges to the assertion of personal jurisdiction over Bank Austria, and entry into this Stipulation shall not impair or otherwise affect such rights and defenses.

5. This Stipulation may be signed by the parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original. This Stipulation is entered into pursuant to the Order Regarding Stipulations Extending Time to Respond and Adjourning Pre-Trial Conferences (ECF No. 4158) in *Sec. Investor Protection Corp. v. Bernard L. Madoff Inv. Sec. LLC*, Adv. Pro. No. 08-01789 (BRL).

Dated: September 16, 2011
New York, New York

/s/ Oren J. Warshavsky

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